

**CITY OF EL PASO, TEXAS  
REQUEST FOR COUNCIL ACTION (RCA)**

**DEPARTMENT:** STREET

**AGENDA DATE:** DECEMBER 21, 2004

**CONTACT PERSON/PHONE:** DARYL W. COLE 621-6750

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

That the Mayor be authorized to sign an agreement between the City of El Paso and the Sun Bowl Association relating to traffic control and actions associated with the El Paso Vitalis Sun Bowl on Friday, December 31, 2004.  
- CONSENT AGENDA

**BACKGROUND / DISCUSSION:**

Provide traffic control for the Sun Bowl Game.

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

Annually

**AMOUNT AND SOURCE OF FUNDING:**

Cost: \$2106.76 - Funding Source: Reimbursed Expense to 32010287 503203 01101 32000 from Sun Bowl Association.

**BOARD / COMMISSION ACTION:**

N/A

**\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\***

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** Daryl W. Cole

*Cc: Pat Adaauto, Deputy City Manger for Building & Planning Services*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## RESOLUTION

### BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an agreement between the City of El Paso and the Sun Bowl Association relating to traffic control and actions associated with the El Paso Vitalis Sun Bowl on Friday, December 31, 2004, in the Sun Bowl Stadium.

ADOPTED this 21st day of December, 2004.

CITY OF EL PASO:

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Joe Wardy  
Mayor

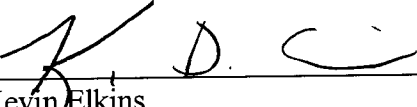
ATTEST:

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Richarda Duffy Momsen  
City Clerk


APPROVED AS TO FORM:

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Kevin Elkins  
Assistant City Attorney

APPROVED AS TO CONTENT:

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Daryl W. Cole, Director  
Street Department

STATE OF TEXAS           )  
                                      )  
COUNTY OF EL PASO       )

**AGREEMENT**

**THIS** Agreement is entered into this 21st day of December 2004, by and between the **CITY OF EL PASO**, a municipal corporation organized and existing under the laws of the State of Texas, hereinafter referred to as the "City", and the **SUN BOWL ASSOCIATION**, hereinafter referred to as "SBA."

**WHEREAS**, SBA will conduct the Vitalis Sun Bowl on Friday, December 31, 2004 in the Sun Bowl Stadium, hereinafter referred to as the "Event"; and,

**WHEREAS**, SBA is requesting the City's assistance in the installation of traffic control devices on Sun Bowl Drive and the settings of traffic signals in the area around the Sun Bowl stadium for the safe and controlled management of the expected increase in traffic volume for the Event; and

**WHEREAS**, the City Council finds that the promotion and conducting of the Event will provide significant benefit to the City by increasing tourism and creating good will and it will serve to provide a rallying point for community spirit and support, and as such, constitutes an important public purpose of benefit to the City and citizens of El Paso; and,

**WHEREAS**, the City Council also finds that there is a public safety purpose in providing such traffic control assistance;

**NOW, THEREFORE**, in consideration of the promises and mutual agreements hereinafter set forth, the parties hereto do mutually agree as follows:

1. The City agrees to provide the necessary assistance for the installation of traffic control devices as the City determines is necessary in accordance with the Uniform Manual of Traffic Control Devices.

The City's assistance will consist of providing personnel to set up traffic control devices such as cones and markers, and re-setting the traffic signals in the area to accommodate the increase in traffic volume. City personnel will place the traffic control devices at specified locations, periodically check to ensure that such devices are not removed, and when the event has concluded and traffic control returns to normal, remove such traffic control devices. The City will not provide personnel to direct traffic.

2. SBA agrees to reimburse the City TWO THOUSAND ONE HUNDRED SIX DOLLARS AND 76/100 (\$2,106.76) within thirty (30) days after completion of the Event for personnel provided by the City to assist in the installation of traffic control devices.

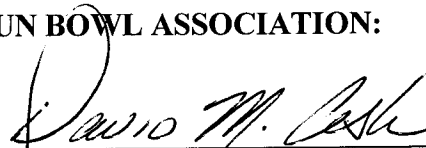
3. To the maximum extent allowed by law, SBA expressly agrees to indemnify and hold harmless the City from any and all liabilities and obligations incurred in the conduct and

operation of the Event due to the negligence of the SBA, its officers, agents, employees, contractors, sub-contractors, licensees, and any actions outside its or their scope of authority, which arise out of or are attributable to its or their negligent acts or omission to act, any breach of contract, or its or their actions outside the scope of this Agreement.

4. To the maximum extent allowed by law, the City expressly agrees to indemnify and hold harmless SBA from any and all claims, liabilities and obligations incurred due to the negligence of the City, its officers, agents, employees, contractors, sub-contractors, licensees, and any actions outside its or their scope of authority, which arise out of or are attributable to its or their negligent acts or omission to act, any breach of contract, or its or their actions outside the scope of this Agreement.

**EXECUTED** on the day and year first written above.:

**SUN BOWL ASSOCIATION:**

  
Name Printed: DAVID M. ASCH  
Title: VP GAMES-DAY

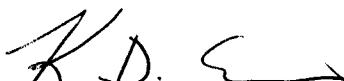
**CITY OF EL PASO:**

\_\_\_\_\_  
Joe Wardy  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kevin Elkins  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Daryl W. Cole, Director  
Street Department

**December 8, 2004**

**Darryl Cole  
Superintendent of Streets  
City of El Paso  
7969 San Paulo 79907**

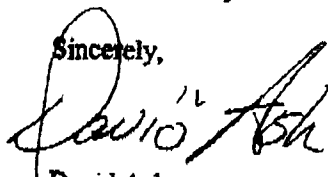
Dear Mr. Cole,

In past few years the Street Department has been kind enough to assist the Sun Bowl Association with traffic control. We again request your assistance for this year's game. We will need traffic control cones placed from the Sun Bowl exit from I - 10 west up to Dawson Road. The traffic cones will be used to form 4 lanes of traffic. One lane will be used for bus traffic only. The other lanes will be used for ingress and egress of vehicle traffic. We would like the cones put in place by 7 am on December 31. Sheriff Department personnel will handle traffic signals.

Per our agreement in prior years, the Sun Bowl Association will reimburse the City for overtime expenses. The Sun Bowl Association will also provide the workers parking passes for the vehicles and tickets to the game. Lt. Jack Waite of the El Paso County Sheriffs Department will contact you with additional details. If you have any additional suggestions for making the traffic flow more efficient please let either Lt. Waite or myself know.

Once the overtime charges have been determined, please submit an invoice to the Sun Bowl Association. I thank you, and City in advance for your outstanding effort in assisting in this years game. If you have any questions please give me a call.

Sincerely,



David Ash  
VP Gameday  
Vitalis Sunbowl  
915-629-0912 wk  
915-740-1546 cell

cc: Bernie Olivias Sun Bowl

**SUN BOWL 2004 COST ESTIMATE****LABOR****12 HRS**

|                        |            |            |            |
|------------------------|------------|------------|------------|
| Steve Escamilla 7958   | \$28.74    | \$344.88   |            |
| Guillermo Moore 6026   | \$19.94    | \$239.28   |            |
| Ignacio Rodriguez 5429 | \$17.14    | \$205.68   |            |
| Jose Villa 7143        | \$19.94    | \$239.28   |            |
| John Topolewski 3388   | \$32.36    | \$388.32   |            |
|                        |            | \$1,417.44 |            |
|                        | 19.747%o/h | \$279.90   |            |
|                        |            | \$1,697.34 | \$1,697.34 |

**EQUIPMENT****12 HRS**

|            |          |          |            |
|------------|----------|----------|------------|
| Unit 01121 | \$12.10  | \$145.20 |            |
| Unit 97185 | \$6.50   | \$78.00  |            |
| Unit 97156 | \$6.50   | \$78.00  |            |
| Unit 5103  | \$6.50   | \$78.00  |            |
|            |          | \$379.20 |            |
|            | 7.97%o/h | \$30.22  |            |
|            |          | \$409.42 | \$409.42   |
|            |          |          | \$2,106.76 |